

ITEM 6. PLANNING PROPOSAL: SYDNEY LOCAL ENVIRONMENTAL PLAN 2012 - HERITAGE LISTING OF ALEXANDRIA HOTEL - 35 HENDERSON ROAD EVELEIGH

FILE NO: X001925

SUMMARY

The Alexandria Hotel is a fine and representative example of an inter-war suburban hotel by prominent hotel architects, Rudder & Grout, built for the Tooth & Co brewery. The hotel, including its interiors, is recommended for listing as a heritage item as a result of the findings of Council's commissioned heritage assessment and further investigation.

An application to demolish the hotel was lodged in June 2015. The deemed refusal of this application is currently the subject of an appeal in the Land and Environment Court.

An interim heritage order under the Heritage Act 1977 currently applies to the Alexandria Hotel. Made by the City on 28 July 2015, this order is due to expire on 27 January 2016 unless Council resolves to list the building before this date. As a temporary emergency listing, the purpose of an order is to enable investigation of the significance of a potential heritage item.

This report is the first stage in formally investigating the heritage significance of the Alexandria Hotel following the making of the interim heritage order. The assessment by Tanner Kibble Denton, commissioned by the City earlier this year, found the hotel warrants listing as a heritage item for its local heritage significance. This assessment concluded that the hotel satisfies at least four of the Heritage Council's listing criteria for its historical, associations, aesthetic and representative values at a local level. Further, the level of community response to the proposed demolition has demonstrated the hotel satisfies a fifth criterion for its social significance, in terms of the community esteem in which it is held.

This report recommends the planning proposal to heritage list the Alexandria Hotel, including its interiors, is approved for referral to the Department of Planning and Environment for gateway determination and public exhibition to recognise its local heritage significance.

If the recommendations are adopted, this resolution will extend the interim heritage order for another six months for a total of 12 months, to 27 July 2016. This will provide the necessary time to complete the investigation of the heritage significance and listing of the hotel through the plan-making process, including community consultation.

RECOMMENDATION

It is resolved that:

- (A) the Central Sydney Planning Committee approve the *Planning Proposal: Heritage listing of Alexandria Hotel, Eveleigh*, shown at Attachment A to the subject report, for submission to the Minister for Planning with a request for gateway determination;
- (B) the Central Sydney Planning Committee approve the *Planning Proposal: Heritage listing of Alexandria Hotel, Eveleigh* for public exhibition in accordance with any conditions imposed under the gateway determination;

- (C) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 20 October 2015 that Council delegate authority to the Chief Executive Officer to make any minor variations to the planning proposal following receipt of the gateway determination;
- (D) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 20 October 2015 that Council seek authority from the Secretary of the Department of Planning and Environment to exercise the delegation of the Minister for Planning of all his functions under section 59 of the *Environmental Planning and Assessment Act 1979* to make an amendment to Sydney Local Environmental Plan to list the Alexandria Hotel, 35 Henderson Road, Eveleigh, as a heritage item; and
- (E) the Central Sydney Planning Committee note that Council's resolution to exhibit the item on the heritage schedule of Sydney Local Environmental Plan 2012 will extend the interim heritage order for another six months for a total of 12 months, to 27 July 2016.

ATTACHMENTS

Attachment A: *Planning Proposal: Heritage listing Planning Proposal: Heritage listing of Alexandria Hotel, Eveleigh* (includes Appendix 1: Tanner Kibble Denton heritage assessment report)

Attachment B: Draft heritage inventory for Alexandria Hotel

Attachment C: Interim Heritage Order No. 1 for Alexandria Hotel

BACKGROUND

Site identification

1. The Alexandria Hotel is located at the corner of Henderson Road and Garden Street at 35 Henderson Road, Eveleigh, on the edge of the former Eveleigh Railway Workshops land to the north. The Vice Chancellor's Oval is located to the west of the hotel and an easement for the eastern suburbs railway line is along its northern boundary.
2. The hotel was originally located in Alexandria before suburb boundaries were redefined in 1996.
3. This location, if not the exact site, has been continuously associated with a hotel from the 1870s. Dating from 1935, the Alexandria Hotel was constructed to the design of prominent hotel architects, Rudder & Grout, for the Tooth & Co brewery.
4. The two-storey brick building has an L-shaped footprint turning the corner and a steeply-pitched hipped roof.
5. The land of the hotel comprises Lot A of deposited plan 82630, shown in the aerial photograph at Figure 1. The street awning extends over the footpath.

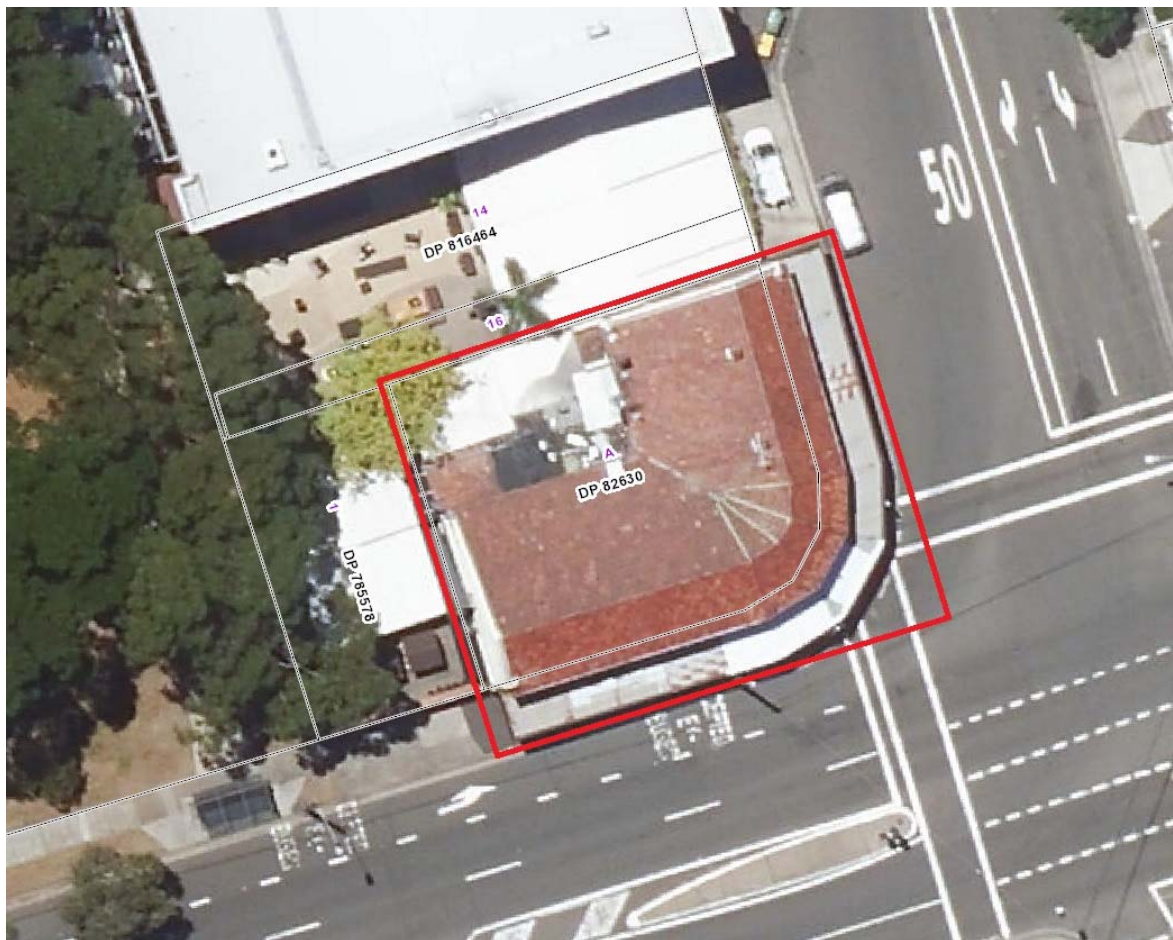


Figure 1: Property containing the Alexandria Hotel (Image: SIX maps)

Planning background

6. The land of Alexandria Hotel was excluded from local planning instruments prior to December 2012, when Sydney Regional Environmental Plan 26 applied to the site. Sydney Regional Environmental Plan 26 (SREP 26) was amended in December 2012 to remove land covered by Sydney Local Environmental Plan 2012 when the comprehensive local plan came into force from 14 December 2014.
7. Despite the site being covered by SREP 26, the hotel was identified in the South Sydney heritage study completed in 1994-1995 as contributing to the Alexandria Park conservation area when this area was recommended for listing. The hotel is located opposite the Alexandria Park conservation area which extends to the southern side of Henderson Road.
8. In early 2015, the City of Sydney engaged Tanner Kibble Denton (TKD Architects) to prepare a heritage assessment of this hotel. This assessment report was completed in May 2015, and is provided at **Attachment A**. This assessment recommended listing the hotel as a heritage item for its local heritage significance.
9. On 5 June 2015, a development application proposing demolition of the hotel was lodged (D/2015/772). This application proposed a new development on the hotel site and adjoining land parcels.
10. Council received more than 400 objections to this development proposal and four petitions containing more than 1,400 signatures against the demolition of the hotel.
11. A number of requests to make an interim heritage order over the site were also received, from the National Trust of Australia (NSW) and community members.
12. On 23 July 2015, the proponent for the development lodged an appeal in the Land and Environment Court for deemed refusal of the application.

Interim Heritage Order

13. The City made an interim heritage order (IHO) for the Alexandria Hotel on 28 July 2015, shown at **Attachment C**. The purpose of an order is to investigate the heritage significance and listing of a potential heritage item.
14. City of Sydney Council has been authorised to make interim heritage orders by the Minister for Heritage under section 25 of the Heritage Act since 2013. Conditions in this authorisation set the limits on Council's use of this power.
15. An interim heritage order can be made when a potential heritage item is likely to be of heritage significance, is under threat of demolition or unsympathetic alteration and does not have statutory heritage protection. These and other conditions were satisfied for the Alexandria Hotel order.
16. An interim heritage order is a temporary listing under the Heritage Act 1977. While in force, Council's consent is required to demolish, develop, damage or alter the building and its land. The Heritage Act prohibits approval of demolition while the order is in force.
17. The order ensures the potential heritage significance of the building is considered by the consent authority when determining proposed developments.

18. An order made by a local council can be appealed through the Land and Environment Court and potentially revoked.
19. The proponent has lodged an appeal against the interim heritage order in the Land and Environment Court. The Court will consider this, together with the appeal against deemed refusal of the application.
20. The interim heritage order is due to expire after six months on 27 January 2016 unless Council resolves to list the building. The order will be extended another six months if Council resolves to list the hotel before this time. However, Council cannot make a second interim heritage order for the same property.
21. On 10 August 2015, a resolution of Council noted the interim heritage order, some aspects of the hotel's history and features, and that the City will investigate the heritage significance of the hotel.

Assessment of heritage significance

22. This report and planning proposal is the first stage in formally investigating the heritage significance of the Alexandria Hotel, as required following the making of an interim heritage order.
23. The NSW Heritage Manual outlines seven criteria of local heritage significance to determine whether an item warrants local listing. Only one of these seven criteria needs to be satisfied at the local level for local heritage listing.
24. The Alexandria Hotel site has been assessed against the seven criteria and meets the threshold for a heritage item of local heritage significance.
25. The assessment by Tanner Kibble Denton completed in May 2015, found that the hotel satisfies at least four of the Heritage Council's listing criteria for its historical, associations, aesthetic and representative values at a local level.
26. This assessment identified that the building retains a substantial amount of original building fabric, internally and externally. Tanner Kibble Denton concluded that the building exemplifies the planning and design of suburban hotels constructed in NSW during the 1930s.
27. The full Tanner Kibble Denton assessment against each criterion is contained in pages 28-31 of the report appended to the planning proposal in **Attachment A**.
28. The Tanner Kibble Denton assessment recommended listing the hotel as a heritage item primarily because of its local historical importance, associations with a prominent firm of specialist hotel architects, its integrity and its outstanding representative qualities.

Further investigation of heritage significance

29. The level of community response to the proposed demolition supports that the hotel has greater social significance to the local community than originally assessed by Tanner Kibble Denton.

30. The hotel is considered to satisfy criterion D for social significance at the local level because of its importance to the identifiable community group of Alexandria residents and their sense of place, as reflected in the number and content of community submissions opposing demolition or seeking listing. These included more than 400 individual submissions and petitions with more than 1,400 signatures.
31. These submissions demonstrate the hotel is valued by the local community for its cultural value, that its damage or destruction would cause a sense of loss in community groups, and that it contributes to the community's sense of identity. This satisfies the Heritage Office guideline for social significance.
32. A survey of 'drinking holes' in the southern parts of the Council area (Edney 2006) has established that relatively few historic hotels remain. From 152 hotels once operating in the Council area south of Cleveland Street, only 38 were still trading by 2006. In 2015, the Tanner Kibble Denton analysis found that only seven of these remain today in Alexandria from the 13 hotels once extant in the 1930s. These seven hotels include only one other, the Iron Duke, which is comparable to the Alexandria Hotel in period and style, however with less internal integrity. The Lord Raglan Hotel is the only other site in Alexandria to have a longer continuous hotel use.
33. While the hotel is uncommon in the local area for its integrity and length of operation, and is significant to the local community, Council does not have any evidence to suggest that the hotel is likely to have wider significance within the context of NSW to meet the threshold of state heritage significance. Therefore, a nomination for listing on the State Heritage Register is not recommended.
34. As detailed in the attached heritage assessment and outlined in the draft inventory, the Alexandria Hotel, including its interiors, has sufficient local heritage significance to warrant listing as a local heritage item. The planning proposal at **Attachment A** therefore seeks to include the hotel in the heritage schedule of the local environmental plan.

Inventory

35. The heritage assessment prepared by Tanner Kibble Denton has been reviewed and transferred by the City into the Office of Environment and Heritage format for the online heritage database, shown at **Attachment B**. Updates have been incorporated, consistent with City conventions for inventories and to include further assessment of significance, particularly social significance, noted above.
36. Inventories outline the heritage significance and history of places identified for listing. As non-statutory summaries, these inventories provide supporting information, but do not define the extent or effect of listing. The extent and effect of listing is instead determined by the entry for the place in local plan, as set out in the planning proposal, and the related heritage provisions of the planning instruments.
37. Inventories are updated progressively as further information becomes available during or following listing, such as when more detailed site assessment occurs or when major changes are proposed and a statement of heritage impact or conservation management plan is prepared.

Outcomes

38. If the recommendations are adopted, the interim heritage order will be extended for another six months for a total of 12 months, to 27 July 2016.

39. This will provide the necessary time to complete the investigation of the heritage significance and listing of the hotel through the plan-making process, including community consultation.

Delegation of Minister's plan-making functions

40. In October 2012, the Minister for Planning and Infrastructure delegated plan-making functions to councils to improve the local plan-making process. In December 2012, Council resolved to accept the delegation.
41. Council needs to receive an authorisation on a case-by-case basis to exercise the delegation. The authorisation is given through the gateway process and may be for spot re-zonings consistent with surrounding zones and matters of local significance. Exercising the delegation means a faster plan-making process.
42. The report recommends Council seek authority to exercise the delegation of the Minister for Planning of all his functions under section 59, of the Environmental Planning and Assessment Act 1979, to make an amendment to Sydney Local Environmental Plan 2012 to list the Alexandria Hotel at 35 Henderson Road, Eveleigh, as a heritage item in Schedule 5.

Planning proposal

43. The planning proposal, provided at **Attachment A**, recommends that the heritage listing of the Alexandria Hotel at 35 Henderson Road, Eveleigh, proceed for public exhibition following receipt of a gateway determination by the Department of Planning and Environment.
44. The purpose of this planning proposal is to amend Sydney Local Environmental Plan 2012 by identifying the Alexandria Hotel at 35 Henderson Road, Eveleigh, as a heritage item of local significance in Part 1, Schedule 5.
45. Should the Central Sydney Planning Committee endorse the attached planning proposal for exhibition and consultation, it will be forwarded to the Minister for Planning in accordance with section 56 of the *Environmental Planning and Assessment Act 1979*. The Minister will then provide a gateway determination to either proceed – with or without variation – to consultation, or to resubmit the planning proposal.
46. Public exhibition and agency consultation of the planning proposal would commence following the receipt of gateway determination. The outcomes of the public exhibition and consultation would then be reported to the Central Sydney Planning Committee.

KEY IMPLICATIONS

Strategic Alignment - Sustainable Sydney 2030 Vision

47. *Sustainable Sydney 2030* is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. The planning proposal is aligned with the following strategic directions and objectives of this plan, in particular including:

- (a) **Direction 7 – A Cultural and Creative City.** The planning proposal identifies the Alexandria Hotel as a heritage item, allowing the building to be retained and re-used as a physical connection to the local history and culture of Alexandria and an ongoing part of the cultural life of the local community. The identification will ensure any future development of the site considers the heritage significance of the site.

RELEVANT LEGISLATION

48. The *Environmental Planning and Assessment Act 1979*; the *Environmental Planning and Assessment Regulation 2000*; and *Heritage Act 1977*.

CRITICAL DATES / TIME FRAMES

49. The gateway notice issued by the Department of Planning and Environment will determine the length of time for public exhibition, and the timeframe for the completion of the plan-making process.

PUBLIC CONSULTATION

50. The public authority consultation and exhibition process for the planning proposal will be subject to the conditions on the gateway determination issued by the Department of Planning and Environment. The consultation will take place in accordance with the gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* and the relevant provisions of the *Environmental Planning and Assessment Regulation 2000*.
51. The planning proposal is considered to be a low impact proposal that would normally warrant a 14 day exhibition with notification through:
- (a) the City of Sydney website;
 - (b) newspapers circulating in the local area; and
 - (c) letters to the landowner, occupant and neighbouring landowners.
52. Given the level of interest in this site, an extended notification period of 28 days is recommended.
53. Following any public authority consultation and public exhibition, the outcomes would be reported to the Central Sydney Planning Committee.

GRAHAM JAHN, AM

Director City Planning, Development and Transport

(Claudine Loffi, Senior Specialist Planner (Heritage))